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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/699,918

11/03/2003

Yehuda Cern

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3868

7590

02/28/2006

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EXAMINER

PARRIES, DRUM

ART UNIT

PAPER NUMBER

2836

DATE MAILED: 02/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/699,918

Applicant(s)

CERN, YEHUDA

Examiner

Dru M. Parries

Art Unit

2836

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 9-14 is/are rejected.
- 7) ☒ Claim(s) 7 and 8 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11-15-04</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 9 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Kim et al. (6,753,742). Kim teaches a signal coupling apparatus comprising a capacitor (103) and switch (201) connected in series, connecting a power line (202) to a grounded circuit (203). The capacitor includes a terminal (102) for connection to the power line.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 6, 11, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. (6,753,742) and Face et al. (6,812,594). Kim teaches a coupling apparatus as described above. Kim fails to explicitly teach how the switch is actuated. Face teaches components for remotely actuating switches including using a time delay mechanism (Col. 1, lines 44-46). It would have been obvious to one of ordinary skill in the art at the time of the

invention to remotely actuate the switch in Kim's invention via a time delay mechanism so that planned communications can be scheduled and achieved without the user being there at the time of communication ("set it and forget it").

5. Claims 5 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. (6,753,742) and Green et al. (4,738,421). Kim teaches a coupling apparatus as described above. Kim fails to explicitly teach how the switch is actuated. Face teaches an insulating cord for actuating a switch (Col. 6, lines 17-19). It would have been obvious to one of ordinary skill in the art at the time of the invention to use an insulating cord to actuate the switch in Kim's invention since normally the switch will be high up (near a power line) so it will make it easier to actuate if there is a cord hanging down from the coupling apparatus.

6. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. (6,753,742) and Kates et al. (6,130,813). Kim teaches a signal coupling apparatus comprising a capacitor (103) and switch (201) connected in series, connecting a power line (202) to a grounded circuit (203). The capacitor includes a terminal (102) for connection to the power line. Kim fails to teach a resistor in parallel with the switch. Kates teaches a bypass resistor in parallel with a switch (115, 110; Abstract). It would have been obvious to one of ordinary skill in the art at the time of the invention to place a resistor in parallel with the switch in Kim's invention to help reduce in-rush currents when the switch is initially actuated (due to "pre-charging").

***Allowable Subject Matter***

7. Claims 7 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The following is an examiner's statement of reasons for allowance: the Examiner recognizes that there are circuits with resistors in parallel with switches and/or capacitors but in the context of the present invention there was no motivation found to modify the Kim reference to reject claims 7 or 8.

***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dru M. Parries whose telephone number is (571) 272-8542. The examiner can normally be reached on Monday -Thursday from 8:00am to 5:00pm. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus, can be reached on 571-272-2800 x 36. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DMP

2-17-2006

  
BRIAN SIRCUS  
SUPERVISORY PATENT EXAMINER  
TECHNICAL CENTER